

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

In re: MEDTRONIC, INC.
IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

ALBERT ROSE, on behalf of
himself and all others
similarly situated

Plaintiffs,

v.

MEDTRONIC, INC., a Minnesota
corporation

Defendant.

MDL No. 05-1726 (JMR/AJB)

Case No.: 0:05-cv-02839-JMR-AJB

ORDER

This matter has come before the Court on the Motion for Leave to Amend Complaint and Substitute Parties (the "Motion") filed by Berte Rose, the surviving spouse of Plaintiff/Decedent, Albert Rose. Mrs. Rose requests that the Court enter an Order permitting the amendment of Plaintiff's complaint to remove the class allegations contained therein, and substitute Berte Rose as the proper party Plaintiff in her capacity as the Personal Representative of Decedent's estate. Defendant filed no opposition to the Motion.

Having considered the points raised in the Motion, and finding no undue prejudice to Defendant, the Motion for Leave to Amend Complaint and Substitute Parties filed by Berte Rose is hereby GRANTED. Berte Rose shall have ninety (90) days from the date of

this Order to file an amended complaint as the Personal Representative of Decedent's estate.

IT IS SO ORDERED.

Dated: January 5, 2007

s/ Arthur J. Boylan
Arthur J. Boylan
United States Magistrate Judge